



When I grow up, I want to be a lawyer – but what kind?

ISTOCKPHOTO

A recent survey of law students shows that stereotypes colour law students' views of life in commercial, government and community legal sectors.

Is the government legal sector full of grey cardigan wearing women working 7.36 hours per day? And are commercial firms full of brusque “old school tie” boys, pushing junior lawyers into back-to-back all-nighters?

According to more than 300 law students from all five Victorian law schools – yes they are, and no they're not.

Law students bared their souls in a recent Young Lawyers' Section community issues committee survey, revealing their take on career options and law firms.

The results were diverse, honest and often heavily biased.

The ultimate goal: traineeships

About 80 per cent of respondents to the survey indicated that they wished to undertake a traineeship (formerly known as articles).

Respondents were asked where they hoped to undertake traineeships, selecting as many as relevant from a list of options.

Half hoped to undertake a traineeship at a medium sized commercial firm, making this the most popular goal of those students seeking to practise law.

Government was the second most popular response (41 per cent), closely followed by large commercial firms (40 per cent).

Small commercial firms, criminal law firms and community legal centres were appealing to about 20 per cent of respondents, and family law and suburban firms to about 15 per cent of respondents.

Regional firms and sole practitioners appealed to less than 10 per cent of respondents.¹

Below we discuss the various survey responses reflecting the good, the bad and the indifferent on working in commercial law firms, government and the community law sector.

Corporate firms: innovative powerhouses or soul-less warehouses?

When asked why they would like to work in a commercial law firm, students discussed the high quality training, career opportunities and attractive remuneration.

Survey sample

More than 300 students responded to the survey, representing a sample of current law students from all five Victorian law schools, other Victorian legal education providers, interstate universities and including a cross-sample of students from a variety of year levels.

Respondents commented that the working environment was appealing, perceiving it to be ambitious and innovative with a “can-do” attitude.

One student, perhaps with a hint of regret, commented that the majority of traineeships are with commercial firms and “it feels as if most of our education is geared towards that”.

Students opposed to working in commercial firms were more colourful in their responses. Students listed the negatives as including excessive working hours, stress, being saddled with boring, repetitive work and having to account for one’s life in six-minute units.

One respondent boldly stated that they were not interested in helping rich companies get even richer and, despite the fact that commercial firms may try to have a benevolent workplace culture with work/life balance, our respondent claimed to not “fall for their spin”.²

Government: frustrating bureaucracy or public interest lawyering?

Many respondents reported that the government offered the most favourable working conditions which were family and female-friendly, and an environment that offered work in the public interest, stability, and training and advancement opportunities.

The respondents emphasised their beliefs that the benefits were more diverse and supportive than in commercial firms.

Students who did not fancy working in government rattled off a list of cons, including the low pay, lack of incentives, copious red tape and the lack of accountability.

A rather disconcerting answer came from a student who quipped that in government you are working with “second and third-tier employees as the better ones are working for the private sector where they get paid more”.

This response appears to be critical of the government workplace without challenging the assumption that all high-achieving students are motivated primarily by salary.

Community lawyers: undervalued and overworked or vital social justice defenders?

The Federation of Community Legal Centres notes that community legal centres (CLCs) provide the opportunity to undertake rewarding social justice and human rights work in a dynamic environment.

The attraction of CLCs, however, was a wedge issue dividing respondents into opposing camps. Some students felt that CLCs meant long hours, low wages, high stress and below-par training and management.

One respondent made derogatory comments on both CLCs’ workers and clientele.

Such a [negative] homogeneous view of a diverse and important sector highlights the need to address students’ perceptions.

Another group felt that the community and public interest focus of CLCs was valuable, with one respondent stating that their work at a CLC always made them “feel good”.

Respondents noted that the work often involved less pressure, more manageable hours and excellent guidance from qualified lawyers.

One thing everyone could agree on was the relatively poor remuneration.

What does this mean for the legal profession?

The survey indicates that the profession, or more particularly various categories of employers, are not providing clear or consistent messages as stereotypes continue to dominate the way students view legal practice. Some students believe that government provides the best training, while others believe corporate firms do. And the perception that commercial lawyers work 100 hours a week is certainly not the experience of all commercial lawyers.³

This level of disconnect between the reality of legal practice and the perception of law students is surprising (and sometimes amusing), but not entirely unexpected.

A literary industry has grown up around these stereotypes, including titles like *Anonymous Lawyer*, *Hell has Harbour Views* and *The Pinstripe Prison*.

Effective ways for students to gain their own insight into legal practice are to undertake a wide variety of work experience, participate in mentoring programs and attend professional seminars and networking events.

The LIV provides a wealth of resources for students, including information and contacts in all sectors of the profession.

The results of the survey raise a number of questions for the profession: are we promoting ourselves thoughtfully, and how can we more accurately inform students’ decisions about where to apply?

The profession should work to effectively communicate a more insightful message about legal practice to ensure that we attract a diverse range of graduates and do not lose talented students to bad press or legal mythology.

In every sector, and indeed within each firm, different cultures and sub-cultures exist which defy these blanket stereotypes and would surprise even the most partisan students. ■

JULIE FRASER, YLS VICE-PRESIDENT

Community issues committee co-chair.

JAMES FARRELL, COMMUNITY ISSUES COMMITTEE MEMBER

Lawyer, Corrs Chambers Westgarth

1. The LIV has previously noted the difficulties in operating sole practices, including recruiting and retaining new lawyers, and similar difficulties exist in regional, rural and remote areas. See “A sole aim . . . to take a break” (2005) 79(6) *LJ* 23; Marita Hogan, “Young suburban practitioners – the vibe from the ‘burbs” (2001) 4 *Young Lawyers Journal*.

2. Compare this with the comments in Lucinda Schmidt, “Professional obsession” *Business Review Weekly*, 3 March 2005.

3. See Iain Campbell, Jenny Malone and Sara Charlesworth, “The elephant in the room: working-time patterns of solicitors in private practice in Melbourne”, May 2008, Centre for Employment and Labour Relations Law working paper no 43, 8-12.